THE MANITOBA HUMAN RIGHTS COMMISSION
LA COMMISSION DES DROITS DE LA PERSONNE DU MANITOBA

connections

Equality of Opportunity and Freedom from Discrimination

2015 Annual Report Released

The 2015 Manitoba Human Rights Commission's annual report was released this week. This year for the first time, it includes a report of the Human Rights Adjudiction panel.

When it comes to the Human Rights Adjudication Panel, little was known except that it is independent from the Commission and its Board of Directors. In the 2015 Annual Report, a message from the Chief Adjudicator highlights this independent relationship.

As it has in the past, the report also reviews the work of the Commission's staff and statistics associated with its work. The report also explains the role of the Board of Commissioners and identifies the members.

A review of the activities and accomplishments during 2015 complete the report, which is now available on the Commission's website.

A speedy resoution to NHL policy

An NHL policy change reveals how the Manitoba Human Rights Commission can move quickly on a concern before a human rights complaint is registered. In this case, the Commission used a process referred to as pre-complaint mediation. This is an efficient way of getting two parties, who are agreeable to settling a concern, to come to a fast and fair agreement.

Although there is much misunderstanding as to why the Commission was involved in this particular case, it is important to recognize that the Commission must look at every concern through a human rights lens and considers if policies can pose barriers to those protected by *The Code*, such as breast feeding mothers.

The NHL has shown its willingness to review and change its policy, which is more in line with the Winnipeg Jets' existing policy. The Commission congratulates both parties on a speedy resolution.

The Rights Connection

By Isha Khan – Executive Director, Manitoba Human Rights Commission

We have revised our Guideline on discrimination based on gender identity. Although gender identity was added to the list of protected characteristics in *The Human Rights Code* in 2012, the Commission took complaints related to gender identity long before. The complaints were dealt with under the characteristic of "sex" and the Commission developed a Guideline to assist the public in understanding their rights and obligations.

The revised Guideline, now on our website, sets out clearly that there is an important distinction between recognizing the rights of trans and other people protected under gender identity, and accommodating their specific requests or needs in a given situation. The Commission continues to promote a "rights-based approach" to these issues. We take the view that although the public may not yet be familiar with gender classifications and related issues, we have a framework for ensuring that our workplaces, public services and housing respect the dignity of all human beings.

As the federal government and other provinces and territories join Manitoba in recognizing this protection, and as a better understanding of discrimination based on gender identity develops, we hope that there are fewer complaints to commissions, and this issue can move out of the media spotlight.

Commission revises its service animal resources

As the Manitoba Human Rights Commission continues to review its service animal resources, revised documents are now available on its website. Although the Commission's policy on service animals has not changed, nor has its definition, changes to its resource information have been made to clear up ongoing confusion.

The Commission's focus is on what a person's disability related needs are, and what the animal does to provide assistance with those disability-related needs and not what labels are used.

Its revised guideline state that "people who rely on animals for assistance with their disabilities may not label their animals as service animals as referred to in *The Code*. For example, a person may prefer to refer to their animal as a "therapy dog", "comfort animal" or "companion animal".

Regardless of the label used, as long as the animal is trained to provide assistance to the person that relates to their disability, the animal is considered a service animal under *The Code*.

The matter of training has also been addressed again in the revised guideline. While an animal may not have received formal training, if the person relying on the animal can demonstrate that it is an integral part of their disability related treatment program, the animal may be considered a service animal.

The revised service animal resources, including the guideline, fact sheet and information for employees, patrons and tenants can be found on the Commission's website under the resources tab.

Chris Cooper visited students at Alexander School in Brandon and help create art in celebration of Earth Day.

Artist Chosen to design award

Receiving a beautiful piece of art in recognition of a person or group's contribution to the advancement of human rights is becoming a tradition at the Human Rights Commitment Award of Manitoba.

The creator of this year's award is Chris Cooper of Brandon, Manitoba

Ms. Cooper is an Art Educator with the Art Gallery of Southwestern Manitoba. "It is a great honour to be chosen to create this award," she said. She also spoke of her belief that a difficult path can lead to a better place and offered a glimpse of the award. "I have combined different elements together - wood, glass, bronze, steel, stone, fired, clay. At the center of the sculpture rests a piece of glass. This represents the change that can happen within one's self..." The award itself will be unveiled on December 8, 2016 at the Human Rights Award Reception.

Nomination open for 2016 Human Rights Awards.

Every year the Manitoba Human Rights Commission celebrates International Human Rights Day by recognizing those who have courageously contributed to the advancement of human dignity and the elimination of discrimination in Manitoba.

There are two awards:

The Human Rights Commitment Award of Manitoba

The Sybil Shack Human Rights Youth Award

Nominations must be received by November 10, 2016.

A reception to honour the award recipients will be held on December 8, 2016.

Place: RBC Convention Centre, Carlton Concourse, 3rd floor South Building

Time: 5:30 pm – 7:00 pm

For information about the awards and how to nominate an individual or group, please visit the Commission's website. www.humanrightsmanitoba.ca.